

## STATE WATER RESOURCES CONTROL BOARD

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MAY 29 1991

Mr. Daniel McGovern  
Regional Administrator  
U.S. Environmental Protection  
Agency, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Dear Mr. McGovern:

TRANSMITTAL OF WATER QUALITY CONTROL PLAN FOR SALINITY--  
SAN FRANCISCO BAY-SACRAMENTO-SAN JOAQUIN DELTA ESTUARY

Enclosed is a copy of the Water Quality Control Plan for Salinity for the San Francisco Bay-Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan).<sup>1</sup> The Bay-Delta Plan includes the accompanying Technical Appendix and the Responses to Comments. The Bay-Delta Plan was prepared under a certified program as a substitute for separate environmental documentation, in accordance with Section 21080.5 of the California Public Resources Code (California Environmental Quality Act). The Bay-Delta Plan amends objectives for salinity contained in the Water Quality Control Plan for the Sacramento-San Joaquin Delta and Suisun Marsh (Delta Plan), adopted in August 1978, and adopts new objectives for temperature and dissolved oxygen. It does not amend the flow requirements set forth in the Delta Plan, which currently are under review and will be updated after the upcoming water rights proceeding. The State Water Resources Control Board (State Board) adopted the Bay-Delta Plan on May 1, 1991 (State Board Resolution No. 91-34).<sup>2</sup>

<sup>1</sup> The Bay-Delta Plan is just one component of the overall water quality standards package for the Bay-Delta Estuary. The other components are the Inland Surface Waters Plan, the Enclosed Bays and Estuaries Plan, the Ocean Plan, the Thermal Plan, and the Regional Water Quality Control Plans for Regions 2 and 5B.

<sup>2</sup> Resolution No. 91-34 is bound with the Bay-Delta Plan.

MAY 29 1991

By this submittal, the State Board is making available to you under Section 303(c)(1) of the Clean Water Act (33 U.S.C.A. Section 1313(c)(1)) the results of the State Board's review of water quality standards in the 1978 Delta Plan. The State Board is submitting the revised and new standards in the Bay-Delta Plan, consisting of revised and new water quality objectives (criteria), for your review and approval under the requirements set forth in Section 303(c)(2)(A) of the Clean Water Act (33 U.S.C.A. Section 1313(c)(2)(A)). The applicable uses, which do not amend the designations in the Regional Water Quality Control Plans for Regions 2 and 5b, are listed in Chapter 4. The revised and new water quality objectives (criteria) are in Chapter 6. The flow requirements in the Delta Plan, which are not revised and are currently under State Board review, are not being submitted for your review and approval. Chapters 5 and 6 contain analyses to support the revised and new water quality objectives (criteria). The State Board is also submitting a certification that we have complied with 40 CFR 131.6(e) (enclosed).

If you have any questions, please telephone David R. Beringer, Bay-Delta Program Manager, at (916) 322-9870 or Barbara J. Leidigh, Senior Staff Counsel, at (916) 324-5757.

Sincerely,

/s/

Walt Pettit  
Executive Director

Enclosures

bcc: Ed Anton, DSA  
Jerry Johns, DSA  
David R. Beringer, DSA  
Barbara J. Leidigh, DSA

BJLeidigh/bjl/dlheryford (revised 5-29-91)

dhery220/LEIDIGH/delta.01a

STATE WATER RESOURCES CONTROL BOARD

**DOCUMENT**

**NAME:** Water Quality Control Plan for Salinity for the  
San Francisco Bay/Sacramento-San Joaquin Delta Estuary  
(Bay/Delta Plan)

**ACTION**

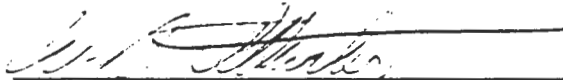
**TAKEN:** Amends the salinity standards in the Water Quality  
Control Plan for the Sacramento-San Joaquin Delta and  
Suisun Marsh (Delta Plan) adopted in August 1978, and  
adopts additional standards for dissolved oxygen and  
temperature, set forth in the Bay/Delta Plan.

**ADOPTING  
DOCUMENT**

**NUMBER:** State Water Resources Control Board Resolution  
No. 91-34

I have reviewed this water quality standards submittal and I  
concur in the attached checklist. I, therefore, certify that the  
water quality standards were duly adopted pursuant to State law.

Dated: May 20, 1991

  
\_\_\_\_\_  
William R. Attwater  
Chief Counsel

STATE WATER RESOURCES CONTROL BOARD

BAY/DELTA PLAN  
40 CFR 131.6(e) CHECKLIST

Bay/Delta Plan: Amends the Water Quality Control Plan for the Sacramento-San Joaquin Delta and Suisun Marsh, adopted in August 1978 (Delta Plan).

State Water Resources Control Board Resolution No. 91-34.

1.   X   Notice of Public Hearing was issued on June 19, 1990 for State Board hearings on August 7, 8, 13, 14, 20, 21, 22, and 23, 1990 (a copy of the Notice of Public Hearing is in the State Board Bay-Delta Program files). The State Board considered a draft Bay/Delta Plan at public hearings on August 7, 8, 13, 14, 20, 22, and 23, 1990.
2.   X   Notice of a Public Workshop and Hearing was issued on January 18, 1991 for a State Board hearing and workshop on March 11, 1991 (a copy of the Notice of Public Workshop and Hearing is in the State Board Bay-Delta Program files). The State Board considered the draft Bay/Delta Plan in a public hearing and workshop on March 11, 1991.
3.   X   The State Board has provided documentation in the Bay/Delta Plan that the water quality objectives comply with Section 13241 of the California Water Code. (A copy of the Bay/Delta Plan is in the State Board Bay-Delta Program files.)
4.   X   The State Board has complied with the requirements of CEQA. (A copy of the completed CEQA checklist and any additional CEQA information is in the State Board Bay-Delta Program files.)
5.   X   Public Notice of the State Board meeting was issued April 19, 1991. (A copy of the Public Notice for the State Board meeting is in the State Board Bay-Delta Program files.)
6.   X   The State Board approved the Bay/Delta Plan at a public meeting on May 1, 1991. (A copy of the signed State Board Resolution approving the Bay/Delta Plan is in the State Board Bay-Delta Program files.)

*David E. Brown*  
Program Manager

*May 24, 1991*  
Date





Sunrise, Mt. McKinley

Ansel Adams

SIERRA CLUB 10.076.01  
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June 7, 1991

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Daniel McGovern  
Regional Administrator  
Region IX  
United States Environmental  
Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94015

Re: Litigation challenging State Water Resources  
 Control Board's Adoption of Bay-Delta Water  
 Quality Control Plan

Dear Mr. McGovern:

Enclosed please find a courtesy copy of our Verified  
 Petition for Writ of Mandate challenging the State Water  
 Resources Control Board's purported adoption on May 1, 1991  
 of a Water Quality Control Plan for Salinity for the San  
 Francisco Bay/Sacramento-San Joaquin Delta Estuary. We  
 filed this petition in Sacramento Superior Court on May 31,  
 1991. Please advise if you need additional information  
 concerning this litigation.

I would be happy to meet with you at your earliest  
 convenience to discuss EPA's plans with regard to this  
 matter.

Very truly yours,

Stephan C. Volker  
 Attorney for petitioners

SCV:lb  
 Enclosure

cc: John Krautkraemer